

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

UNITED STATES OF AMERICA

V.

**CRIMINAL NOS. 3:23-CR-62-TSL-LGI
3:23-CR-63-TSL-LGI**

DANIEL READY OPDYKE

**DEFENDANT DANIEL OPDYKE’S NOTICE OF NON-OPPOSITION TO
CONTINUING HIS SENTENCING HEARING AND REQUEST THAT HIS DEADLINE
TO OBJECT TO THE PRESENTENCE REPORT BE THE SAME AS ALL CO-
DEFENDANTS’ DEADLINES**

Defendant Daniel R. Opdyke, through counsel, notifies the Court that he does not oppose continuing his November 16, 2023 sentencing hearing, and would request that his deadline for responding to the Presentence Report be the same as his co-Defendants’ to-be-determined deadline to respond to their Presentence Reports. In support, Mr. Opdyke states the following:

1) On October 25, 2023, Mr. Opdyke filed an unopposed motion requesting that the Court extend his deadline to respond to his Presentence Report by seven days, until November 2, 2023. [Doc. 49.] Mr. Opdyke’s motion, however, did not seek a continuance of his November 16, 2023 sentencing hearing. *Id.*

2) Co-Defendants Christian Dedmon and Hunter Elward have now moved to continue their sentencing hearings, along with requesting more time to respond to their Presentence Reports. *See* [Docs. 50 - 51.]

3) On October 27, 2023, the Court sua sponte issued an Order instructing that it intends to continue all sentencing hearings, and granted in part Mr. Opdyke’s request to extend his deadline to respond to his Presentence Report. [Doc. 52, n.1.] Under the Court’s Order, a new

deadline for Mr. Opdyke to respond to his Presentence Report will be set once Mr. Opdyke's Co-Defendants supplement their motions to "apprise the court as to the actual length of time in which counsel seeks to submit objections and to prepare for sentencing." *Id.*, p. 2.

4) Mr. Opdyke does not oppose the continuance of his Sentencing Hearing, and requests that his deadline to respond to the Presentence Report be the same as his co-Defendants' to-be-determined deadline to respond to their Presentence Reports.

Respectfully submitted, this 31st day of October 2023.

DANIEL READY OPDYKE

By: /s/ Jason M. Kirschberg
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CERTIFICATE OF SERVICE

I, Jason M. Kirschberg, attorney for Defendant Daniel R. Opdyke, certify that I have this day filed a copy of the above with the Court's CM/ECF filing system, which will send notice of such filing to all counsel of record by electronic mail.

So certified this 31st day of October 2023.

/s/ Jason M. Kirschberg
Jason M. Kirschberg